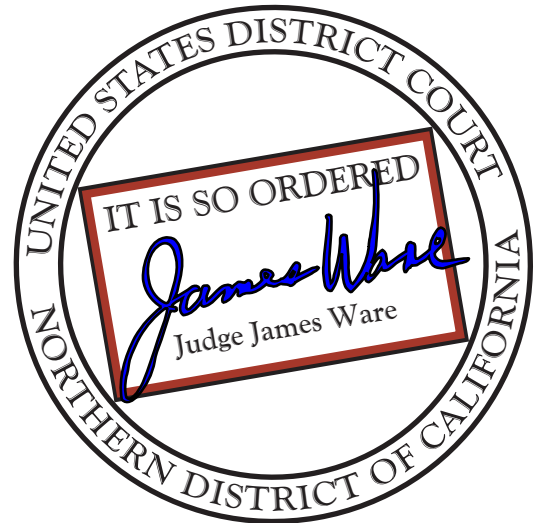


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NANCY ZAYED



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NANCY ZAYED, an individual,

Plaintiff,

v.

APPLE COMPUTERS, a corporation doing
business in California; DAVID BLACK, an
individual, and DOES 1-50, inclusive,

Defendants.

Case No. C-04-1787

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CHANGE TIME
REGARDING EXPERT WITNESS
DISCLOSURE DEADLINES
PURSUANT TO LOCAL RULE 6-2**

1 The parties hereto, and their undersigned counsel, hereby stipulate as follows:

2 WHEREAS the Court previously entered a Scheduling Order in this case on
3 February 1, 2005 and modified that Scheduling Order on July 22, 2005, October 18, 2005, and
4 March 9, 2006;

5 WHEREAS fact discovery closed on October 3, 2005;

6 WHEREAS on May 1, 2006, the Court set the trial date in this matter and trial to
7 commence on February 6, 2007;

8 WHEREAS the Parties are currently engaged in expert discovery;

9 WHEREAS plaintiff's economic expert has had an unexpected event arise and will
10 be unavailable until June 6, 2006;

11 WHEREAS the Parties believe that extending the expert witness deadlines set
12 forth in the Court's March 9, 2006 Order as set forth below will be conducive to the efficient and
13 expedient conduct of this litigation, will serve the ends of justice, and will not create any
14 substantial delay, and will not affect the Parties' trial date; and

15 WHEREAS the Parties have previously requested three time modifications to the
16 Scheduling Order deadlines set by the Court to extend the expert witness deadlines,

17 NOW THEREFORE, IT IS AGREED AS FOLLOWS:

18 1. The deadlines set forth in the Court's March 9, 2006, Scheduling Order
19 shall be modified as follows:

- 20 (a) the deadline to disclose expert witnesses pursuant to F.R.C.P. 26(a)
21 is June 23, 2006;
- 22 (b) the deadline to disclose rebuttal expert witnesses is July 21, 2006;
- 23 (c) the hearing deadline for motions objecting to the qualifications or
24 proposed testimony of any expert is September 25, 2006;
- 25 (d) The discovery deadline is August 11, 2006, as to expert discovery
26 only, and discovery shall remain closed for all non-expert
27 discovery.
28

2. This Stipulation shall be made an Order of the Court.

Dated: May 9, 2006

LYNNE C. HERMLE
JOSEPH C. LIBURT
JESSICA R. PERRY
ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/

Jessica R. Perry
Attorneys for Defendants
Apple Computer, Inc. and David Black

Dated: May 9, 2006

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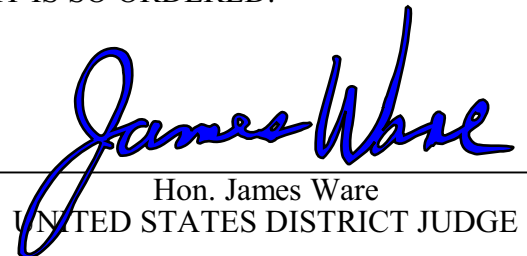
/s/

Waukeen Q. McCoy
Attorneys for Plaintiff
Nancy Zayed

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 9, 2006
_____, 2006



Hon. James Ware
UNITED STATES DISTRICT JUDGE